



US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495
ATTN: Susan Powell, Project Manager

Public Notice Date: October 17, 2005
Expiration Date: November 17, 2005
Reference: 200500396
Name: Langley, City of & Port District of
South Whidbey Island

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899, and Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

APPLICANT: City of Langley and Port District
Of South Whidbey Island
Post Office Box 366
Langley, Washington 98260
ATTN: Alice Schisel and Donna Keeler
Telephone: (360) 221-4246

LOCATION: In Saratoga Passage at Phil Simon Park, Langley, Washington.

WORK: Improve an existing concrete boat ramp by steepening the ramp grade, placing riprap on both sides of the ramp, and adding a new gangway ramp, shore connection platform, and float. The ramp grade will be steepened by adding crushed rock fill over the existing concrete ramp surface. A new concrete ramp surface will be placed atop the proposed fill material. Total quantity of crushed rock and riprap to be placed waterward of mean higher high water is 70 cubic yards.

PURPOSE: to facilitate the launching and retrieval of trailered boats during lower tides and increase safety and expediency at a public boat launch facility.

ADDITIONAL INFORMATION: Work that is outside of U.S. Army Corps of Engineers (Corps) jurisdiction will also occur at the park. This includes landscaping, the construction of a boardwalk north of the boat ramp, and the extension of existing wing walls.

MITIGATION: Eleven creosote-treated piles will be removed from the site. Selected large woody debris that has accumulated adjacent to the bulkhead will be anchored in place above mean higher high water. Dune grass will be planted between the anchored logs and the bulkhead. Native vegetation will be planted in the redeveloped park area immediately landward of the boat ramp and bulkhead.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. The Puget Sound Chinook (*Oncorhynchus tshawytscha*) threatened, coastal/Puget Sound bull trout (*Salvelinus confluentus*) threatened, bald eagle (*Haliaeetus leucocephalus*) threatened, marbled murrelet (*Brachyramphus marmoratus*) threatened, Steller sea lion

(*Eumetopias jubatus*) threatened, humpback whale (*Megaptera novaeangliae*) endangered, leatherback sea turtle (*Dermochelys coriacea*) endangered, and killer whale (*Orcinus orca*) proposed threatened in the state of Washington, may occur in the project vicinity. For Chinook salmon and bull trout, critical habitat has been designated.

After receipt of comments from this public notice, the Corps will evaluate the potential impacts to the Chinook salmon, bull trout, bald eagle, marbled murrelet, Steller sea lion, humpback whale, leatherback sea turtle, killer whale, and critical habitat.

ESSENTIAL FISH HABITAT: If the Corps determines that the proposed action may adversely affect EFH for federally managed fisheries in Washington waters, the Corps will initiate EFH consultation with the NMFS. The Corps' final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. There are no recorded historic properties within the permit area. The permit area has been so extensively modified by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a] [3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

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The proposed discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b) (1) of the Clean Water Act. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

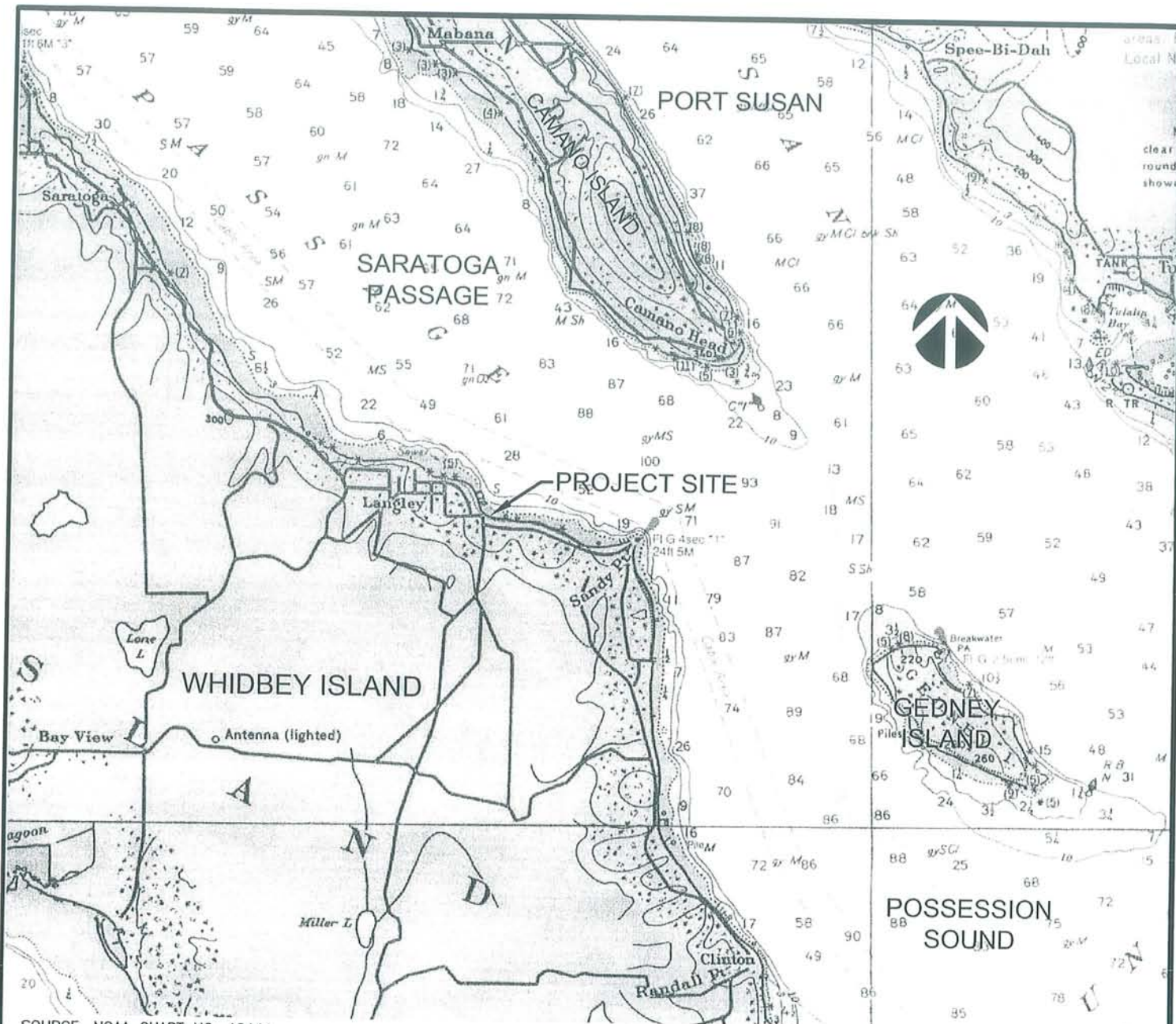
ADDITIONAL EVALUATION: The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

This proposal is the subject of Shorelines Substantial Development Permit No. SDP 05/01, being processed by the City of Langley.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to Susan.M.Powell@usace.army.mil. Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington, 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

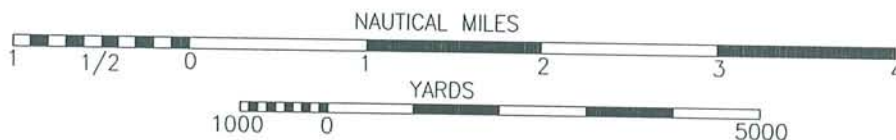
Langley, City of and Port District of South Whidbey Island
200500396

Encl
Drawings (8)



SOURCE: NOAA CHART NO. 18441
(SOUNDING IN FATHOMS)

VICINITY MAP



APPROXIMATE COORDINATES - PHIL SIMON PARK

LAT.: 48° 2' 26" N
LONG.: 122° 24' 15" W

Sec 34, T. 30N, R. 3E

PURPOSE: IMPROVE AN EXISTING PUBLIC PARK AND
CONCRETE BOAT RAMP

DATUM: MLLW = 0.0'

SHORELINE DESIGNATION: URBAN AQUATIC

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PHIL SIMON PARK

EXISTING WATERFRONT AND
BOAT RAMP IMPROVEMENTS

IN: SARATOGA PASSAGE

AT: CITY OF LANGLEY

COUNTY: ISLAND

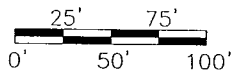
STATE: WASHINGTON

APPL. BY: CITY OF LANGLEY & PORT
DISTRICT OF SOUTH WHIDBEY ISLAND

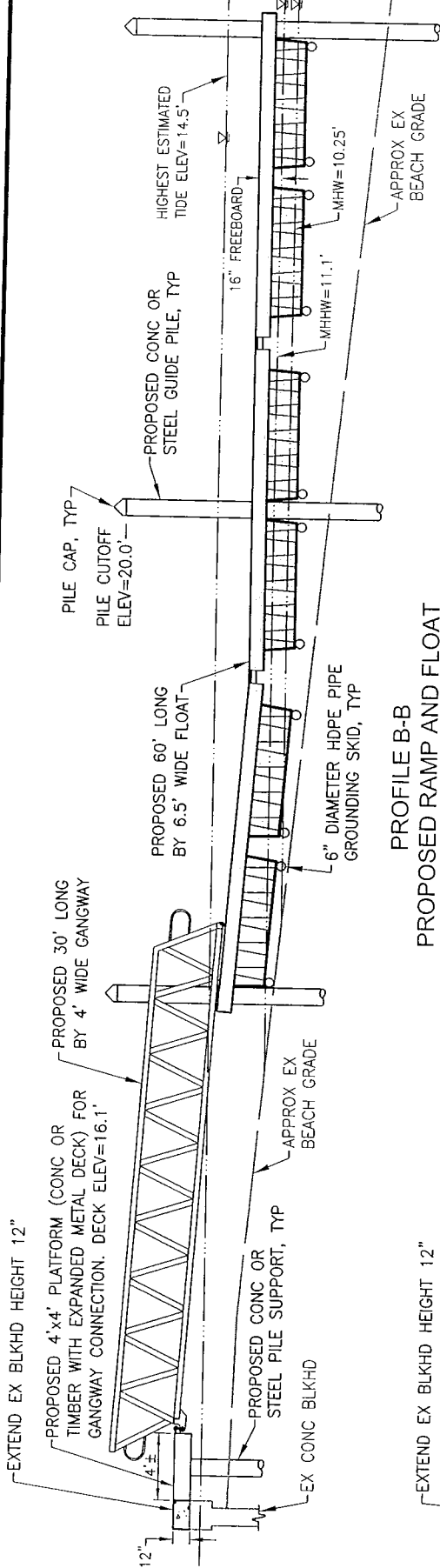
SHEET: 1 of 8

DATE: 1.10.05

REV 2 (9.29.05)

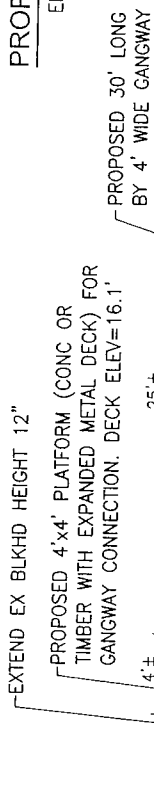


PHIL SIMON PARK
EXISTING WATERFRONT AND
BOAT RAMP IMPROVEMENTS
IN: SARATOGA PASSAGE
AT: CITY OF LANGLEY
COUNTY: ISLAND
STATE: WASHINGTON
APPL. BY: CITY OF LANGLEY & PORT
DISTRICT OF SOUTH WHIDBEY ISLAND
SHEET: 3 of 3 DATE: 1.10.05
REV 2 (9.29.05)



PROFILE B-B
PROPOSED RAMP AND FLOAT

ELEVATION AT MHHW = 11.1'
DATUM: MLLW = 0.0'



PROFILE B-B
PROPOSED RAMP AND FLOAT

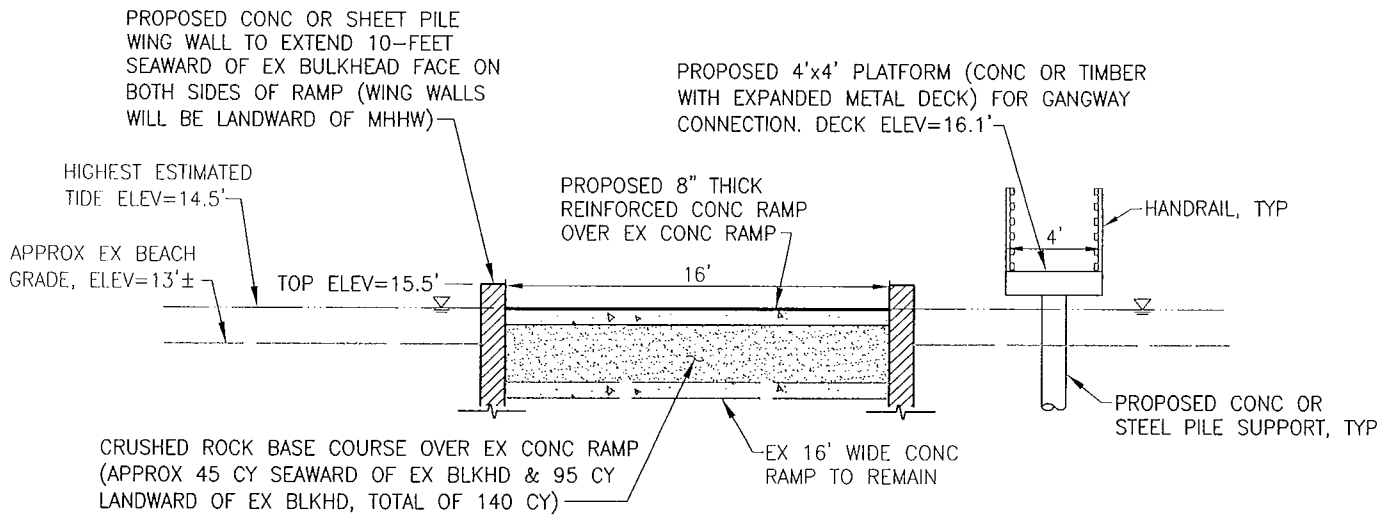
ELEVATION AT ESTIMATED EXTREME HIGH WATER = 14.5'
DATUM: MLLW = 0.0'



TIDE TABLE (99 - EVERETT)	
HIGHEST ESTIMATED TIDE	= 14.50±0.5
MEAN HIGHER HIGH WATER	= 11.11
MEAN HIGH WATER	= 10.25
MEAN (HALF) TIDE LEVEL	= 6.52
MEAN LOWER LOW WATER	= 0.0
LOWEST ESTIMATED TIDE	= -4.50±0.5

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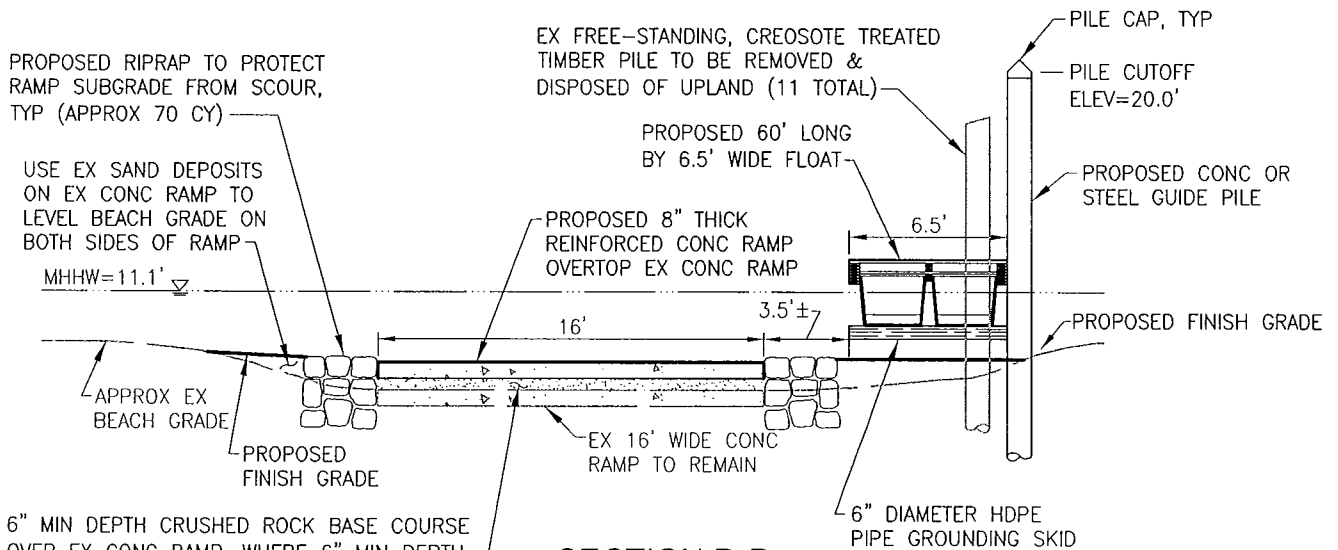
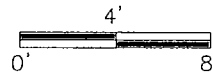
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SHEET: 6 of 8 DATE: 1.10.05
REV 2 (9.29.05)



(BLKHD = BULKHEAD)
(CY = CUBIC YARDS)
(EX = EXISTING)

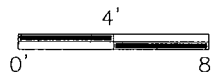
SECTION C-C

DATUM: MLLW = 0.0'



SECTION D-D

DATUM: MLLW = 0.0'

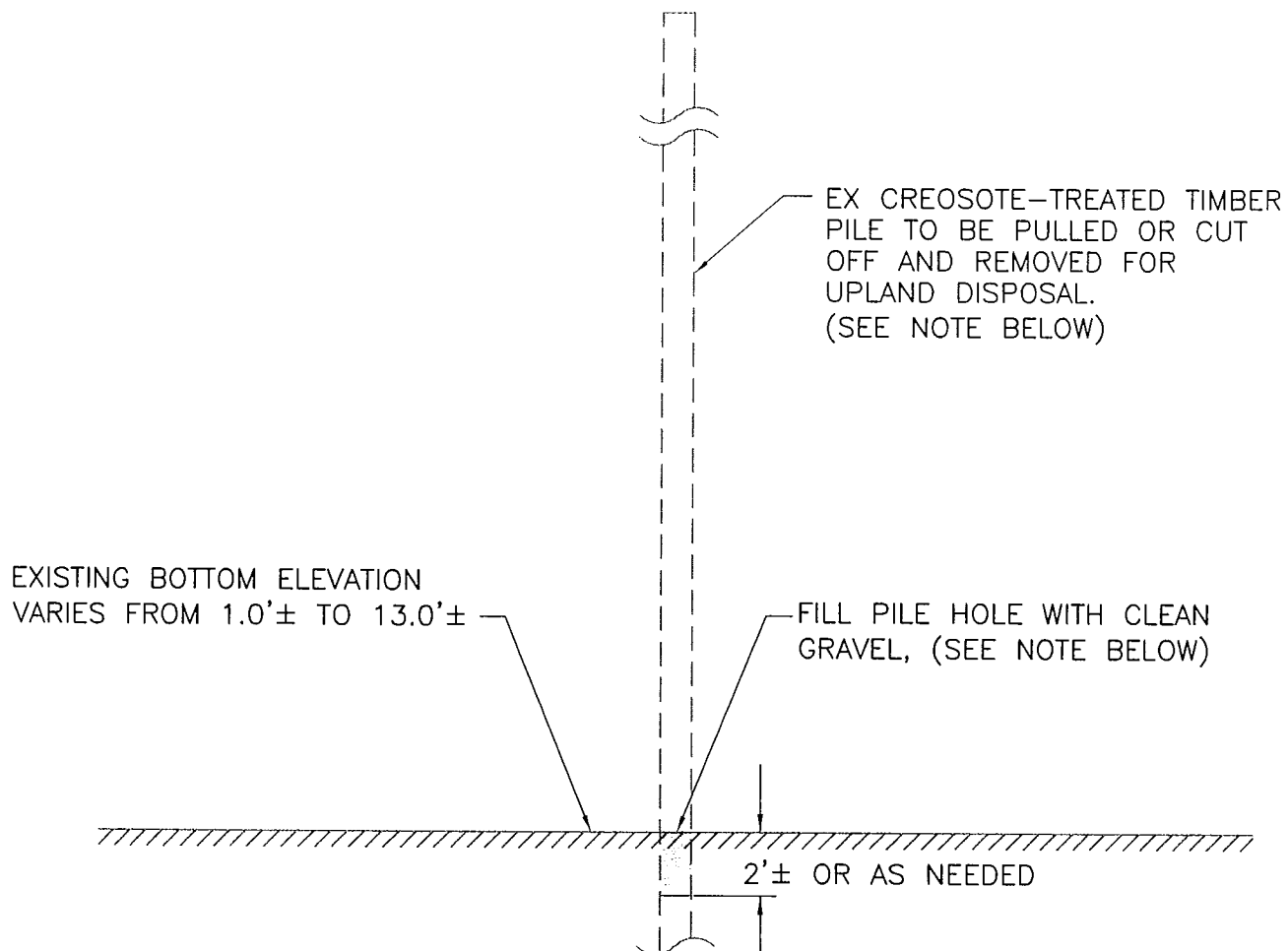


TIDE TABLE (99 - EVERETT)

HIGHEST ESTIMATED TIDE = 14.50±0.5
MEAN HIGHER HIGH WATER = 11.11
MEAN HIGH WATER = 10.25
MEAN (HALF) TIDE LEVEL = 6.52
MEAN LOWER LOW WATER = 0.0
LOWEST ESTIMATED TIDE = -4.50±0.5

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SHEET: 7 of 8 DATE: 1.10.05
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TYPICAL PILE REMOVAL DETAIL

NOT TO SCALE

NOTE: EXISTING TIMBER PILES SHALL BE FULLY EXTRACTED BY DIRECT PULLING WITH A CRANE BARGE OR VIBRATORY HAMMER. HYDRAULIC WATER JETTING WILL NOT BE ALLOWED. REMAINING PILE HOLES SHALL BE FILLED WITH CLEAN SAND. IF AN EXISTING PILE CAN NOT BE EXTRACTED, THE PILE SHALL BE CUT 2-FOOT BELOW THE MUDLINE AND CAPPED WITH CLEAN SAND OR COVERED WITH A PLASTIC OR STEEL CAP TO INSURE THAT CHEMICALS FROM THE EXISTING PILE DO NOT LEACH INTO THE ADJACENT SEDIMENTS. EXTRACTED PILES WILL BE CUT INTO FOUR (4) FOOT LENGTHS PRIOR TO DISPOSAL.

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DISTRICT OF SOUTH WHIDBEY ISLAND
SHEET: 8 of 8 DATE: 1.10.05
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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 397-6000 • TDD Only (Hearing Impaired) (360) 407-6000

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Water Quality Certification
and for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: October 17, 2005

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200500396 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the above referenced project will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that program.

Any person desiring to present views on the project pertaining to the project on either or both (1) compliance with water pollution control laws or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600